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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/598,946	08/31/2007	Robert Leinfellner	020301-004007	2387
34313 7590 03/09/2011 ORRICK, HERRINGTON & SUTCLIFFE, LLP IP PROSECUTION DEPARTMENT 4 PARK PLAZA SUITE 1600 IRVINE, CA 92614-2558				
EXAMINER				
DAO, THUY CHAN				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/598,946

Applicant(s)

LEINFELLNER ET AL.

Examiner

Thuy Dao

Art Unit

2192

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) 21-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-945)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 01/31/08
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to the application filed on August 31, 2007.
2. Claims 1-20 have been examined.

Specification

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

4. The abstract of the disclosure should commence on a separate sheet in accordance with 37 CFR 1.52(b)(4). A new abstract of the disclosure is required and must be presented on a separate sheet, apart from any other text.

Claim Rejections – 35 USC §102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the

invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Publication No. 2004/0054944 A1 to Bates et al. (hereafter Bates).

Claim 1:

Bates discloses *an adjustment device for adjusting at least one control device with at least one control device microcontroller and with at least one control device debug interface comprising:*

at least one programmable unit at least one data transmission interface for connecting the adjustment device to an operating unit (0012, 0019-0022, 0039, 0044-0049); and

at least one adjustment device debug interface for connecting the adjustment device to the control device debug interface of the control device (0015, 0022-0026, 0040); and

characterized by the adjustment device comprises in addition at least one memory for at least one address list and at least one data list (0016, 0040-0043, 0048-0051),

where the addresses stored in the address list denote memory locations in the address space of the control device microcontroller (0025, 0033, 0044-0047, 0051-0053) and

where with the use of the adjustment device debug interface data from the memory locations which are in the address space of the control device microcontroller (0014-0018, 0039, 0045-0048) and

which are determined by the contents of the address list can be read and stored in the data list and/or the data stored in the data list can be stored at the memory locations (0018-0022, 0033-0036, 0053)

which are in the address space of the control device microcontroller and which are determined by the contents of the address list (0013-0016, 0039-0043, 0050-0053).

Claim 2:

Bates discloses the *adjustment device according to claim 1, characterized by the wherein the programmable unit comprises the adjustment device debug interface (0015, 0022-0026, 0040).*

Claim 3:

Bates discloses the *adjustment device according to Claim 1 the programmable unit is a programmable logic chip (0012, 0019-0022, 0039, 0044-0049).*

Claim 4:

Bates discloses the *adjustment device according to Claim, the memory for the address list and for the data list is provided in the programmable unit (0025, 0033, 0044-0047, 0051-0053).*

Claim 5:

Bates discloses the *adjustment device according to Claim 1, wherein the programmable unit comprises a list application unit and by activation of the list application unit (0015, 0022-0026, 0040)*

the list application unit automatically carries out either the calling of the data from the memory locations in the address space of the control device microcontroller and given in the address list and the storing of the called data in the data list or the writing of the data stored in the data list (0012, 0019-0022, 0039, 0044-0049)

into the memory locations in the address space of the control device microcontroller and determined by the contents of the address list (0016, 0040-0043, 0048-0051).

Claim 6:

Bates discloses the *adjustment device according to Claim 5, wherein in the case of several address lists and/or several data lists by issuing priorities for the address lists and/or data lists a processing order can be determined by the list application unit* (0014-0018, 0039, 0045-0048).

Claim 7:

Bates discloses the *adjustment device according to Claim 5, claim 5 wherein in the case of several address lists and/or several data lists a subset of address lists and/or a subset of data lists can be determined which is processed by the list application unit* (0018-0022, 0033-0036, 0053).

Claim 8:

Bates discloses the *adjustment device according to Claim 1, wherein the programmable unit comprises an individual application unit with which any memory locations in the address space of the control device microcontroller* (0025, 0033, 0044-0047, 0051-0053)

can be read out and/or with which a value can be stored in any memory location in the address space of the control device microcontroller (0014-0018, 0039, 0045-0048).

Claim 9:

Bates discloses the *adjustment device according to Claim 1, wherein the programmable unit comprises a tool interface unit for connecting at least one external device to the adjustment device* (0016, 0040-0043, 0048-0051).

Claim 10:

Bates discloses the *adjustment device according to Claim 1, wherein the programmable unit comprises a bypass unit with an associated single-port or dual-port bypass memory* (0025, 0033, 0044-0047, 0051-0053)

an associated bypass interface for connecting the bypass unit and the bypass memory to an external simulation unit where data can be exchanged (0012, 0019-0022, 0039, 0044-0049)

between the control device and the simulation unit with the use of the bypass memory and the bypass unit reading and writing bi-directionally (0018-0022, 0033-0036, 0053).

Claim 11:

Bates discloses the *adjustment device according to claim 10, wherein the programmable unit comprises the bypass interface where the bypass interface uses a serial data transmission and is embodied as an interface (0014-0018, 0039, 0045-0048).*

Claim 12:

Bates discloses the *adjustment device according to Claim 1, wherein the programmable unit comprises a prioritization and arbitration unit where priorities can be assigned to the various units of the programmable unit via the prioritization (0016, 0040-0043, 0048-0051) and*

arbitration unit and the prioritization and arbitration unit determines, with the aid of the priorities assigned to the various units the order of execution (0013-0016, 0039-0043, 0050-0053)

by activation of the various units among themselves and establishes a data connection between the unit activated in each case and the control device (0012, 0019-0022, 0039, 0044-0049).

Claim 13:

Bates discloses the *adjustment device according to claim 12, wherein the priority of the bypass unit is higher than the priority of the list application unit and/or that the priority of the list application unit (0018-0022, 0033-0036, 0053)*

is higher than the priority of the individual value application unit and/or that the priority of the individual value application unit is higher than the priority of the tool interface unit (0015, 0022-0026, 0040).

Claim 14:

Bates discloses the *adjustment device according to claim 12, wherein the priority of the tool interface unit is higher than all the other units (0025, 0033, 0044-0047, 0051-0053).*

Claim 15:

Bates discloses the *adjustment device according to Claim 1, wherein, the adjustment device comprises a coordination unit which is connected via a coordination interface to one or more of the units of the programmable unit (0013-0016, 0039-0043, 0050-0053) and/or*

via the data transmission interface to the operating computer and/or via the bypass interface to the simulation unit and/or to the bypass memory (0014-0018, 0039, 0045-0048).

Claim 16:

Bates discloses the *adjustment device according to claim 15, wherein the coordination unit directs data or instructions coming from the operating computer and/or from the simulation unit to the addressed units the programmable unit for further processing and/or transmits the data coming from a unit (0016, 0040-0043, 0048-0051).*

Claim 17:

Bates discloses the *adjustment device according to Claim 15, wherein the coordination unit provides received data with a time stamp, data which are transmitted to the operating unit (0025, 0033, 0044-0047, 0051-0053).*

Claim 18:

Bates discloses the *adjustment device according to Claim 15, wherein the coordination unit interprets configuration instructions coming from the operating unit and/or from the simulation unit and configures the adjustment device accordingly* (0012, 0019-0022, 0039, 0044-0049).

Claim 19:

Bates discloses the *adjustment device according that Claim 15, wherein the coordination unit registers external trigger signals and/or internal trigger signals and activates corresponding units of the programmable unit* (0016, 0040-0043, 0048-0051).

Claim 20:

Bates discloses the *adjustment device according to Claim 15, wherein the coordination unit is located in a separate computer unit outside of the programmable unit, in a microcontroller, by in a programmable logic chip, or is formed as a part of the programmable unit* (0015, 0022-0026, 0040).

Conclusion

7. Any inquiry concerning this communication should be directed to examiner Thuy (Twee) Dao, whose telephone/fax numbers are (571) 272 8570 and (571) 273 8570, respectively. The examiner can normally be reached on every Tuesday, Thursday, and Friday from 6:00AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam, can be reached at (571) 272 3695.

Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the TC 2100 Group receptionist whose telephone number is (571) 272 2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For

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more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Thuy Dao/ (Twee)

Primary Examiner, Art Unit 2192